



# California Fair Political Practices Commission

November 8, 1988

Honorable Robert Presley  
Senator, Thirty-sixth District  
3600 Lime Street, Suite 111  
Riverside, CA 92501

Re: Your Request for Assistance  
Our File No. I-88-426

Dear Senator Presley:

We have received your letter requesting an opinion concerning the rights of political candidates to distribute campaign material in mobilehome parks. We are unable to assist you in this matter because the subject is outside of the Commission's jurisdiction.

The Commission is charged with the administration and enforcement of the Political Reform Act. (Government Code Sections 81000-91015.) The Political Reform Act requires candidates to report campaign contributions and to provide appropriate identification on campaign mailings. It does not otherwise regulate distribution of campaign material. Because your question is not addressed by the Political Reform Act, we cannot provide the opinion you have requested.

Sincerely,

Diane M. Griffiths  
General Counsel

*Kathryn E. Donovan*  
By: Kathryn E. Donovan  
Counsel, Legal Division

DMG:KED:plh

SACRAMENTO ADDRESS

STATE CAPITOL  
95814 ☐  
(916) 445-9781

DISTRICT OFFICES  
3600 LIME STREET ☒  
SUITE 111  
RIVERSIDE, CA 92501  
(714) 782-4111

72-811 HIGHWAY 111 ☐  
SUITE 201  
PALM DESERT, CA 92260  
(619) 340-4488

FPPC California State Senate

OCT 21 1 25 PM '88



STATE SENATOR  
ROBERT PRESLEY

THIRTY-SIXTH SENATORIAL DISTRICT  
CHAIRMAN  
SENATE COMMITTEE ON APPROPRIATIONS

COMMITTEES

APPROPRIATIONS (CHAIRMAN)  
NATURAL RESOURCES AND  
WILDLIFE  
JUDICIARY  
AGRICULTURE AND WATER  
RESOURCES

JOINT COMMITTEES

PRISON CONSTRUCTION AND  
OPERATIONS (CHAIRMAN)  
LEGISLATIVE AUDIT  
LEGISLATIVE ETHICS  
REVISION OF THE PENAL CODE

SELECT COMMITTEES

CHILDREN AND YOUTH (CHAIRMAN)  
MOBILEHOMES  
PACIFIC RIM (VICE CHAIRMAN)  
BUSINESS DEVELOPMENT  
FAIRS & RURAL ISSUES  
PLANNING FOR CALIFORNIA'S  
GROWTH  
SOLID & HAZARDOUS WASTE

October 19, 1988

John Larson, Chairman  
Fair Political Practices Commission  
428 J Street, Suite 800  
P.O. Box 807  
Sacramento, California 95804


Dear Mr. Larson:

Please find enclosed information I received from my constituent, Donald E. Ash, concerning his right as a political candidate to distribute campaign material in mobilehome parks.

I would appreciate receiving an opinion from the Fair Political Practices Commission concerning this point of law. Please forward your response to me at my Riverside district office.

Thank you for your attention in this matter.

Sincerely,

  
ROBERT PRESLEY  
State Senator

cc: Donald E. Ash  
1131 Mill Street  
Lake Elsinore, California 92330

RP:lb


117 Hill St.  
New Haven, Ct. 06501  
October 3, 1961

Senator Robert F. Kennedy  
200 Senate Office Bldg.  
Washington, D.C. 20501

Dear Senator Kennedy:

Enclosed please find copies of a letter sent to the office of the Attorney General and their cavalier response indicating a complete lack of consideration or concern to citizens a fundamental problem is a democracy.

As a campaigner yourself, I hope you can be of basic force in working to rectify this as it would seem to be an essential and crucial right of a candidate running for public office. That is, to be able to freely reach all people during an election campaign.

Sincerely,  
  
James E. Ash

Enclosure: 1

JOHN K. VAN DE KAMP  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



July 27, 1988

P.O. BOX 944255  
SACRAMENTO 94244-2550  
Public Inquiry Unit: (916) 322-3360

Toll Free—California Only:  
800-952-5225

Donald E. Ash  
1131 Mill St.  
Lake Elsinore, CA 92330

Dear Mr. Ash:

Your letter of July 10, 1988 requests an opinion from the Attorney General's Office. We regret that we will be unable to provide the opinion you request.

Government Code section 12519 authorizes the Attorney General to provide opinions only to designated public officers on questions of law relating to their respective offices. It is for this reason that we must respectfully decline your request.

Very truly yours,

JOHN K. VAN DE KAMP  
Attorney General

*Robert M. Raymer*  
ROBERT M. RAYMER, Analyst  
Public Inquiry Unit

RMR:ccc

1131 Mill St.  
Lake Elsinore, Ca. 92330  
July 10, 1988

Office of the Attorney General  
1515 K St. Suite 511  
Sacramento, Ca. 95814

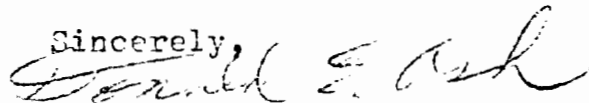
Sir:

In a recent campaign for public office I was not allowed to distribute my campaign flyers to the residences in several mobile home parks in this city. Despite my protests that this was both undemocratic and probably illegal, I was told by the managers that this was private property, and, therefore, I was restricted from entering the park for this purpose.

Of course, every house in this community is private property so that under that type of pernicious reasoning, candidates for public offices could be restricted from distributing campaign material to any house. Such an idea I think is foreign and not acceptable in a free democratic society.

I feel my civil liberty to freely campaign for a public office were infringed upon by these parks and I would ask the opinion of the Attorney General's office of this state for an opinion on this issue.

Sincerely,



Donald E. Ash

# Memorandum

To : Kathy Donovan

Date : October 25, 1988

From : Fair Political Practices Commission  
John H. Larson, Chairman *JHL*

Subject: Letter received from Senator Presley

Attached hereto is a letter received from Senator Presley asking that we respond to him regarding a question on distribution of campaign materials in mobile home parks.

I don't think this is within our jurisdiction and can be disposed of with a rather quick letter.



# California Fair Political Practices Commission

November 8, 1988

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Senator, Thirty-sixth District  
3600 Lime Street, Suite 111  
Riverside, CA 92501

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Sincerely,

Diane M. Griffiths  
General Counsel

A handwritten signature in cursive script, reading "Kathryn E. Donovan".

By: Kathryn E. Donovan  
Counsel, Legal Division

DMG:KED:plh

SACRAMENTO ADDRESS

STATE CAPITOL  
95814  
916 445-9781

DISTRICT OFFICES  
1300 LIME STREET  
SUITE 101  
RIVERSIDE, CA 92501  
951 492-4111

2000 W. SHAW ST.  
SUITE 201  
SACRAMENTO, CA 95811  
916 441-4428

# California State Senate

Oct 21 1 25 PM '88



STATE SENATOR  
**ROBERT PRESLEY**  
THIRTY-SIXTH SENATORIAL DISTRICT  
CHAIRMAN  
SENATE COMMITTEE ON APPROPRIATIONS

## COMMITTEES

APPROPRIATIONS CHAIRMAN  
NATURAL RESOURCES AND  
WILDLIFE  
AGRICULTURE AND WATER  
RESOURCES

## JOINT COMMITTEES

PERSON, CONSTRUCTION AND  
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ENVIRONMENTAL  
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AND NATURAL RESOURCES

## SELECT COMMITTEES

CHILDREN AND YOUTH CHAIRMAN  
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BUSINESS DEVELOPMENT  
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Sincerely,

  
ROBERT PRESLEY  
State Senator

cc: Donald E. Ash  
1131 Mill Street  
Lake Elsinore, California 92530

RP:lb



iver, 1964, p. 104.

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

Toward E. Ash

JOHN K. VAN DE KAMP  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



July 27, 1988

P.O. BOX 944255  
SACRAMENTO 94244-2550  
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JOHN K. VAN DE KAMP  
Attorney General

*Robert M. Raymer*  
ROBERT M. RAYMER, Analyst  
Public Inquiry Unit

RMR:ccc

1131 Mill St.  
Lake Elsinore, Ca. 92530  
July 10, 1988

Office of the Attorney General  
1515 K St. Suite 511  
Sacramento, Ca. 95814

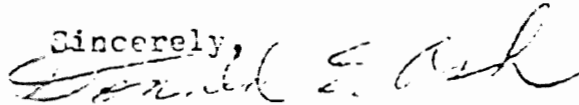
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Sincerely,



Donald B. Ash



# California Fair Political Practices Commission

November 8, 1988

Roland Bowns, Chief Counsel  
Legal Office  
California State Lottery  
600 North 10th Street  
Sacramento, CA 95814

Re: 88-427

Dear Mr. Bowns:

Your letter requesting advice under the Political Reform Act was received on November 4, 1988 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5662.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, the person assigned to prepare a response to your request will contact you shortly to advise you as to the information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

*Jeanne Pritchard*  
Jeanne Pritchard  
Chief  
Technical Assistance and Analysis  
Division

JP:plh

**CALIFORNIA STATE LOTTERY**

600 North 10th Street  
Sacramento, CA 95814

FPPC  
Nov 4 2 51 PM '88

88-467

November 1, 1988

Diane Griffiths  
Chief Counsel  
Fair Political Practices Commission  
428 J Street, Suite 800  
Sacramento, CA 95814

Dear Ms. Griffiths:


The California State Lottery has received an invitation from KFOY Radio Station to send two Lottery representatives to a KFOY-sponsored event. This offer includes air transportation provided by KFOY and an opportunity to meet other KFOY clients at this event.

Regarding the reporting requirements for designated employees who may be subject to disclosure, and after reviewing the 1987/88 Manual for Statements of Economic Interests for Designated Employees Form 730, we are of the determination that if the California State Lottery accepts the invitation to attend the event, and KFOY provides air transportation, the designated employees would not be required to report these as gifts or income.

It is also our understanding that the employees chosen to represent the Lottery at this event should not claim per diem for meals provided at no cost to the employee.

Before accepting this invitation, we would appreciate your legal opinion regarding the disclosure requirements as outlined above.

Sincerely,

  
Roland Bowns  
Chief Counsel  
Legal Office

RKB:peg